

## **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** David Quigley, AICP, Planning and Zoning Manager/ (954) 797-1103

**PREPARED BY:** Ingrid Allen, Planner III

**SUBJECT:** Ordinance

**AFFECTED DISTRICT:** 1 and 2

**ITEM REQUEST:** Schedule for Council Meeting

**TITLE OF AGENDA ITEM: LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LA(TXT)10-1-08 AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO INCREASE THE NUMBER OF RESIDENTIAL UNITS WITHIN THE REGIONAL ACTIVITY CENTER LAND USE CATEGORY BY 3,500 UNITS, AMENDING INTENSITY AND DENSITY STANDARDS WITHIN THE REGIONAL ACTIVITY CENTER LAND USE CATEGORY; AMENDING OBJECTIVE 27, SCHOOL SITING, IN ORDER TO PERMIT PUBLIC SCHOOL SITES WITHIN THE TRANSIT ORIENTED CORRIDOR (TOC) LAND USE CATEGORY, AMENDING THE MAXIMUM BUILDING HEIGHT FOR COMMERICAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.(tabled from March 3, 2010) [Requires a supermajority vote].**

**REPORT IN BRIEF:** The item before Town Council is the transmittal of a proposed amendment to the Town's Comprehensive Plan and the County's Land Use Plan. \*The proposed amendment and staff report will be provided separately. The key components of the amendment are:

1. The Regional Activity Center (RAC) Master Plan envisions an ultimate build-out of 22,000 dwelling units but actual units must be phased in over time. Based on the original adoption of the RAC category in 1998, the current maximum number of residential units allowed within the RAC is 8,729. The Town has allocated 7,648 of those units leaving 1,081 currently available. If the proposal by I-595 Commerce Center to add 944 units is approved, there would be just 137 units available. In order to continue to implement the vision for the RAC as a transit-oriented, mixed use village, additional residential units are

needed. The proposed amendment would increase the number of residential units available in the RAC by 3,500 for a total of 12,229 units.

2. The original 1998 RAC amendment allowed up to 3,432,528 sq.ft. of commercial use of which 689,613 sq. ft. is currently available. An increase in the amount of commercial area is warranted at this time in order to prevent a premature shortfall. In order to neutralize the traffic impacts, staff is proposing to increase commercial use by 235,000 sq. ft. while reducing industrial use by 900,000 sq. ft. This modification leaves an adequate pool of industrial square footage to be utilized in the near future while neutralizing the traffic impacts of the new commercial.

3. New policy language designed to guide development patterns for each zoning district within the RAC.

The following additional revisions to the proposed amendment package have been made since staff's original presentation at the February 3, 2010 Council meeting:

1. Inclusion of proposed text revisions to the County's Land Use Plan concerning the Town's RAC. These revisions are consistent with the existing and proposed RAC use text from the Town's Comprehensive Plan.

2. Revision to the map of the amendment area to depict the entire RAC area (a small portion had inadvertently been excluded).

On February 12, 2010, the proposed amendment was transmitted to the Broward County Planning Council pursuant to Article 4.1(A)(4) of the County's Administrative Rules Document, which shortens the overall plan amendment process by allowing part of the Town's and County's review processes to be done concurrently. However, the Town Council must make a recommendation on the proposed amendment at least 21 days prior to the first Planning Council public hearing, which is tentatively scheduled for May 27, 2010. Upon Town Council approval to transmit, the proposed amendment will go before the Planning Council and County Commission for a determination on whether to transmit the amendment to the Florida Department of Community Affairs for review and comment. Once the Town receives and addresses any agency comments, and after approval of the amendment to the Broward County Comprehensive Plan, this amendment will return for a second and final public hearing by Town Council for adoption (date to be determined).

#### **PREVIOUS ACTIONS:**

On February 3, 2010 Council tabled to May 5, 2010.

On February 17, 2010 Council reconsidered vote and tabled to March 3, 2010.

On March 3, 2010 Council tabled to April 7, 2010.

**CONCURRENCES:** At the December 9, 2009 Local Planning Agency meeting, Vice-Chair Busey made a motion, seconded by Mr. DeArmas, to table to January 13, 2010.

At the January 13, 2010 Local Planning Agency meeting, Mr. DeArmas made a motion, seconded by Mr. Jacob, to approve as it was, based on the changes that were made. **(Motion carried 5-0)**

**FISCAL IMPACT:** Yes

Has request been budgeted? Yes

If yes, expected cost: \$18,104

Account name and number: 041-1058-536-6436

Additional Comments: Expected cost is for County and School Board application fees.

**RECOMMENDATION(S):** Other - Transmit the proposed amendment to the Town of Davie Comprehensive Plan to the Broward County Planning Council along with the proposed amendment to the Broward County Land Use Plan concerning the Town's Regional Activity Center.

**Attachment(s):** (to be provided under separate cover) Staff report, Town/County amendment application, Ordinance, public participation report, Local Road Master Plan proposed future projects map, RAC zoning map